

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JACOB H. MCKINNEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:20-cv-03134-TAB-JRS
	)	
KILOLO KIJAKAZI,	)	
	)	
Defendant.	)	

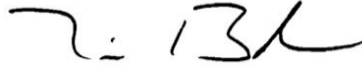
**ORDER ON MOTION FOR ATTORNEY FEES**

Plaintiff has filed a motion for attorney fees following a successful appeal resulting in a judgment in her favor. [Filing No. 20.] Plaintiff seeks an award of \$8,254.35, to be paid within 15 days to Plaintiff's attorney. Defendant does not object to Plaintiff's request for \$8,254.35, but does object to Plaintiff's request that payment be made within 15 days. Moreover, Defendant asks the Court to make the award payable to Plaintiff, with the contingency that if Plaintiff does not have debts to the government at the time payment is processed, Defendant should then make the award payable to Plaintiff's counsel, consistent with *Matthews-Sheets v. Astrue*, 653 F.3d 650 (7th Cir. 2011). For the reasons more fully set forth in Defendant's response [Filing No. 23], the Court agrees that the fee award should be paid to Plaintiff in accord with Defendant's request.

Accordingly, Plaintiff is awarded \$7,854.35 for attorney fees and expenses, and \$400 in costs in full satisfaction of any and all claims for attorney fees, expenses, and costs that may be payable to Plaintiff in this matter under the Equal Access to Justice Act, 28 U.S.C. § 2412. Any fees paid belong to Plaintiff and not Plaintiff's attorney and can be offset to satisfy any pre-existing debt that the litigant owes the United States. *Astrue v. Ratliff*, 560 U.S. 586 (2010). If Defendant can verify that Plaintiff does not owe a pre-existing debt to the government subject to the offset,

Defendant will direct that the award be made payable to Plaintiff's attorney pursuant to the EAJA assignment duly signed by Plaintiff and counsel.

Date: 3/3/2022

A handwritten signature in black ink, appearing to read 'T. Baker', written above a horizontal line.

Tim A. Baker  
United States Magistrate Judge  
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email